



WINTER 2005

# architects

a publication of the california architects board ■ public protection through examination, licensure, and regulation

## Emerging Professional's Companion

### New Learning Tool for Interns and Professionals

The American Institute of Architects (AIA), together with the National Council of Architectural Registration Boards (NCARB), announced the release of the Emerging Professional's Companion (EPC) in November 2004. This new online training resource is designed to expose students, interns, young architects, and seasoned professionals to current practice models through an array of educational activities. The EPC was developed in response to an ongoing need to support emerging professionals on their path from education to licensure. It replaces the 1992 version of the Supplementary Education Handbook, and it can be used by interns to receive up to 225 training units in the Intern Development Program (IDP).

The EPC reflects current practice models and recognizes the varied paths that an intern or recently licensed architect may consider during his or her career. Many of the activities involved in the EPC contribute to the development of a professional along the life-long learning continuum.

The development of the EPC was guided by the following goals:

- Support interns as they work through IDP, particularly in terms of gaining credit;
- Encourage practice competency through design excellence and innovation;
- Increase the support, involvement, and mentoring participation of firms as well as supervisors and mentors;
- Provide a personalized but structured learning experience; and,
- Serve as a stimulating, affordable, flexible, and easy-to-update resource.

Each of IDP's 16 training areas has its own "chapter," and within each chapter, interns can receive IDP training units by completing certain exercises. Each chapter begins with a narrative introducing the latest information on that topic. Users can then choose from a series of exercises and case-based scenarios to apply their knowledge in areas such as health, safety, and welfare; design and construction liability; and ethical dilemmas.

While the primary users of the EPC are architectural interns, the resource provides material and exercises for use by mentors in architectural firms and by professors at schools of architecture. The

#### **CIDP/IDP Now Required:**

Effective January 1, 2005, completion of the Board's Comprehensive Intern Development Program (CIDP), in conjunction with NCARB's Intern Development Program (IDP), is now required for California candidates. Candidates who are applying (or reapplying) for exam eligibility evaluation are now required to complete these programs prior to licensure. See the Board's Web site ([www.cab.ca.gov](http://www.cab.ca.gov)) for more detailed information.

EPC can assist educators in addressing complex practice issues directly with their students. The exercises and scenarios can be used as assignments outside of class or adapted for in-class debates and discussions. The activities in the EPC vary in level of difficulty, so that they might be applicable to students just beginning to learn about practice issues as well as to intermediate interns and advanced practitioners.

The EPC is currently available to all stakeholders. It is free to AIA associate members, NCARB IDP Council Record holders and educators through the AIA bookstore or by visiting [www.EPCompanion.org](http://www.EPCompanion.org). Others may purchase the EPC for a fee.

For more information about the Emerging Professional's Companion, please contact AIA's media relations office (202) 626-7300 or NCARB (202) 783-6500.



## President's Message

By Jeffrey D. Heller, FAIA, Board President

## Board Concludes Sunset Review Process

### Final Preparations for IDP Implementation

As the new year approached, the Board made final preparations for the January 1, 2005 implementation of the Comprehensive Intern Development Program (CIDP)/Intern Development Program (IDP).

The implementation of IDP as a requirement in California has been a long process that began in 2001. Throughout the years that we have worked towards this goal, NCARB has been extremely helpful, and we want to thank them for their assistance.

We are pleased to be taking CIDP/IDP to California interns. This program will provide interns exposure to a broad spectrum of practical experience that will complement their education. I am confident that all firms will recognize that CIDP/IDP is an opportunity to help interns become better architects.

While internship was not a subject at last year's NCARB annual meeting, a number of member boards raised concerns about several NCARB governance issues. Among those issues were the amount of transparency in leadership functions and operations, as well as fiscal accountability.

A key concern raised by boards from large states is the continued underrepresentation of these states within NCARB. Large states have significantly more architects than small states. But because of NCARB's one board/one vote practice, the input of these states into NCARB's policy activities is disproportionate to their size. A related issue is the structure of NCARB's regional councils. Because the number of states included in various regions is unbalanced, the architects in some larger states are further underrepresented.

With thousands of California architects and candidates receiving services from NCARB, the California Architects Board has a role to play in ensuring NCARB's organizational effectiveness.

We expect dialog on these issues to continue. We believe that a healthy organization is one that is open to a vigorous exchange of ideas. Through such an exchange, new possibilities for the future can be discovered.

In accordance with the state's Sunset Review Process, the California Architects Board (CAB) was evaluated by the Joint Legislative Sunset Review Committee (JLSRC) in fiscal year 2003-04. The Sunset Review process requires all boards that regulate professions and trades to submit a report in response to an extensive set of questions from the JLSRC. The questions focus on a wide range of subjects and data, including fiscal issues, examinations, board composition, and consumer outreach.

Based on JLSRC staff's review of the initial report, CAB received a set of supplemental questions specific to its responsibilities. At a special hearing, the Board had the opportunity to present the highlights of its report, as well as to respond to the supplemental questions. The JLSRC held a second hearing at which its recommendations regarding CAB were considered. CAB was given an opportunity to respond to those recommendations. At a third hearing, the JLSRC voted on the final recommendations.

Recommendations from the JLSRC that required statutory changes were inserted into legislation. Senate Bill 1549 contained the CAB provisions, as well as those for a number of other boards. Governor Schwarzenegger signed the legislation last September, extending CAB's "sunset date" for four years, which is the maximum amount of time allowed.

Although it is very time consuming, Sunset Review does facilitate a healthy self-examination and provide input on board programs. The Board will be using issues from Sunset Review in the strategic planning process to determine future courses of action.



## SPECIAL THANKS TO

# CAB 2004 Committee Members

The committees of the California Architects Board had a productive 2004 and are moving into 2005 with a list of tasks to complete. Each committee is driven by the volunteer efforts of a dedicated group of individuals. We would like to thank those who contributed their time in 2004.

### COMMUNICATIONS COMMITTEE

#### Members:

*Cynthia Choy Ong (Chair), Richard Conrad, Cynthia Easton, Jack Paddon, Ronald Ronconi, and Nathaniel B. Walker, IV.*

The Communications Committee is charged with overseeing the Board's communications and identifying strategies to effectively communicate to key audiences. The Committee serves as the editorial body for this newsletter and provides strategic input on enhancing the use of the Internet to communicate with the Board's stakeholders. The Committee also oversees a variety of outreach programs, such as the education liaison program.

#### 2004 Activities:

- Finalized and implemented the Intern Development Program (IDP)/Comprehensive IDP (CIDP) Communication Plan.

- Updated and monitored the Board's Communications Plan to increase focus on reaching consumers of architectural services and to disseminate consumer information.
- Identified opportunities for disseminating existing consumer information (i.e., Web sites).
- Improved accessibility of Board's Web site.

### EXAMINATION COMMITTEE

#### Members:

*Christine Lampert (Chair), Denis Henmi (Vice Chair), Kevin Jensen, Charles Brown, Glenn Gall, Richard Holden, George Ikenoyama, Jim McGlothlin, and Carol Tink-Fox.*

The Examination Committee is charged with overseeing the content, development, and administration of the California Supplemental Examination (CSE), as well as reviewing the

Architect Registration Examination (ARE) content and administration issues.

#### 2004 Activity:

- Explored ways to incorporate and emphasize knowledge of building codes and accessibility requirements in CIDP, the ARE, and the CSE.

### PROFESSIONAL QUALIFICATIONS COMMITTEE

#### Members:

*Edward Oremen (Chair), Kirk Miller (Vice Chair), Jeffrey Heller, Kevin Jensen, Norma Sklarek, Gordon Carrier, Raymond Cheng, Allan Cooper, Donald Crosby, Christine Lampert, Mike Martin, Paul Neel, Larry Segrue, R.K. Stewart, and Barry Wasserman.*

This Committee is charged with ensuring the professional qualifications of those practicing architecture by recommending requirements for education, experi-

ence, and examinations. The Professional Qualifications Committee also reviews the practice of architecture to ensure the Architects Practice Act accurately reflects areas of practice.

#### 2004 Activities:

- Modified CIDP/IDP Implementation and Communication Plans, as approved by the Board, based on issues raised during CIDP/IDP implementation.
- Modified regulations to incorporate the CIDP/IDP requirement and submitted the regulatory change package to the Office of Administrative Law.
- Worked with the National Council of Architectural Registration Boards and The American Institute of Architects to refine IDP, as appropriate.
- Analyzed results of the 2002 Architectural Educators/Practitioners Workshop for

*Continued on page 5*



## NCARB President Discusses Current Issues

Frank Guillot became the NCARB president in June 2004. In a recent interview, he talked about his perspectives on several issues relevant to the architectural profession.

### ***What are your top priorities as president?***

There are well over 100 charges to committees. All of that work is extremely important to the Council. Our Strategic Plan update is particularly significant because it will prioritize and give direction to our future efforts. The ongoing work of the Reciprocity Impediments Task Force is at the heart of the Council's mission. And finally, the work of both the IDP Committee and the IDP Coordinating Committee, as well as the preparations for the September 2005 Internship Conference are efforts that I watch with particular interest.

### ***What are the most difficult challenges facing NCARB?***

We must continuously remember that the organization is the member boards; that the priorities of the organization are those of the member boards. But for the continued and increased success of the Council, each member board must carefully evaluate its actions against the broader picture of Council-wide priorities. It really isn't Member Board vs. Council, "Us" vs. "Them" because "We" are "Them." Every challenge we face can be conquered by communication, cooperation, and maybe a little creativity.

### ***How do you see IDP evolving in the future?***

If our goal is, as it should be, to continually improve the standards of our profession, then measuring completion of internship by "seat time" alone will not get the job done. I am very interested in California's initiatives and will be following their progress closely. I am also excited by the potential of the Emerging Professional's

Companion, developed by an NCARB-AIA partnership, to offer both learning and evaluation opportunities. Key to all this are the roles of the mentor/advisor and supervisor. They are the individuals charged with monitoring and confirming the professional exposure and growth, which is required in internship. We must provide them with the training and tools that they need for this task, and we must be sure that they are carrying out their responsibilities with the care and skill that are necessary.

### ***What is your view on the status of architectural education in the United States?***

The strength and the challenge of architectural education in the United States is its diversity. The concept of the "three legged stool," the interdependence of education, experience, and examination, recognizes the reality of that diversity. The recently completed modifications to the National Architectural Accrediting Board, Inc. (NAAB) accreditation criteria included changes that should lead to better-prepared graduates.

### ***NCARB provides a variety of services to member boards, certificate holders, and examination candidates. In what areas of NCARB services would you most like to see improvement?***

As I said in Portland, architects know that we can make anything better, and I am confident that the efforts of the volunteers and staff will bear positive fruit in all Council activity areas.

I am personally interested in the Architect Registration Examination (ARE), and I am convinced that its planned



evolution is going in the right direction. I've also mentioned my interest in and hopes for the IDP.

Our continuing investment in information systems and increased web-based record services capabilities are steadily improving ease and speed of processing.

The feedback that we have received through the strategic planning process has been very helpful in identifying areas for increased emphasis and new opportunities.

### ***What do you see as California's role in NCARB?***

California is one of 55 member boards in NCARB, and it has one vote. It is also one of the most populous states. The CAB has a substantial staff. So California's role is one of balancing competing interests. It has its duty to its public and its licensees. It also must find cooperative common ground with the other 54 jurisdictions to avoid isolation. Its energy and activism are resources for the Council. Its challenge is to maximize that benefit to the Council and its stakeholders within the political reality of one board/one vote.

I am pleased to note the very positive and productive strategy that California is using; to be extremely active in Council committee work. These individuals, volunteering their time, offering their insights and California's perspective, are advancing the work of the Council and building networks that will yield multilateral benefits.

### ***Why do you feel that international accords are important?***

Beyond the pressures of the federal government's free trade activities, globalism, and economic opportunity, there is an opportunity to analyze other systems. In so doing, we are encouraged to take a fresh look at our own system: What is important, what do we do well, what other methods work? We have much to offer, which is revealed through our negotiations. At the same time, if we are attentive and listen carefully, we have much to learn. Throughout this process of outreach and analysis, we are reminded to acknowledge, value, and protect our differences while being open to new ideas.

## **Special Thanks to CAB 2004 Committee Members**

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potential follow-up actions, planned for the next workshop, and reported to the Board.

### **REGULATORY AND ENFORCEMENT COMMITTEE**

#### **Members:**

*Frank Chiu (Chair), Larry Guidi (Vice Chair), Norma Sklarek, John Canestro, Richard Conrad, Richard Crowell, Fred Cullum, Robert DePietro, Robert George, Merlyn Isaak, and Larry Segrue.*

The Regulatory and Enforcement Committee is charged with 1) making recommendations regarding the establishment of regulatory standards of practice for architects; 2) recommending and establishing policies and procedures to protect consumers by preventing violations and enforcing standards when violations occur; and 3) informing the public and licensees of the Board's standards and enforcement programs.

#### **2004 Activities:**

- Reviewed the Board's rules of professional conduct and considered the need for modifications or additional rules.

- Developed a plan to increase the Board's ability to enforce its statutory authority in areas where non-compliance is significant.
- Formalized and strengthened existing enforcement procedures and developed a plan with more specific actions to control unlicensed activity.
- Proposed revised regulations to increase the amounts of administrative fines associated with Board-issued citations to the maximum amount allowed under Business and Professions Code section 125.9.

In addition to the volunteers who worked on committees, the Board would like to thank several architects who graciously volunteered their time to assist with the recent Internship Forums. Betsey Olenick Dougherty made presentations at all three Southern California events. Ed Oremen joined Ms. Dougherty in speaking at the San Diego forum. R.K. Stewart made a presentation at the South San Francisco event. Denis Henmi spoke at the Sacramento forum. The Board would also like to thank Woodbury University in Burbank and NewSchool of Architecture in San Diego for hosting two of the forums.



# Enforcement Actions

**CAB is responsible for receiving and investigating complaints against licensees and unlicensed persons. CAB also retains the authority to make final decisions on all enforcement actions taken against its licensees.**

**Included below is a brief description of recent enforcement actions taken by CAB against individuals who were found to be in violation of the Architects Practice Act.**

**Every effort is made to ensure the following information is correct. Before making any decision based upon this information, you should contact CAB. Further information on specific violations may also be obtained by contacting the Board's Enforcement Unit at (916) 445-3394.**

## **ADMINISTRATIVE ACTION**

**SAM ROTTER** (Woodland Hills) Effective July 23, 2004, Sam Rotter's architect license, number C-29196, was revoked, after the Board adopted a Proposed Decision. An Accusation was filed against Rotter for violations of Business and Professions Code (BPC) sections 5536.22 (Written Contract), 5583 (Fraud in the Practice of Architecture), and 5584 (Willful Misconduct). The Accusation was based on evidence that Rotter and his brother were potential buyers of a residence (property). Rotter, without consulting or contracting with the owner of the property for any architectural services, chose to perform site analysis and feasibility studies in anticipation of purchasing the property. Because Rotter and his brother were not prepared to close escrow by a specified time, the owner decided to cancel escrow. Rotter felt that the owner "breached" her agreement with them to purchase the property and used his architectural license to file a Mechanic's Lien against the owner in the amount of \$56,283.72 for architectural design drawings. This has caused the owner financial harm by encumbering her property and preventing her from selling it.

## **CITATIONS**

**SCOTT JAMES BAUCHMANN** (El Cajon) The Board issued an administrative citation that included a \$500 civil penalty to Scott James Bauchmann, architect license number C-23382, for a violation of BPC section 5584 (Negligence). The action was taken based on evidence that Bauchmann failed to perform the project in a timely manner, he departed from the standard of practice, and failed to provide adequate communication and records throughout the course of the project. The citation became effective on October 1, 2004.

**VAL JOHN BELLI** (Santa Cruz) The Board issued an administrative citation that included a \$2,000 civil penalty to Val John Belli, architect license number C-21838, for violations of BPC sections 5536.22(a)(3), (4), and (5) and 5584 (Negligence). The action was taken based on evidence that Belli failed to: 1) include statutorily required language in a written contract when providing professional services to a client; 2) investigate existing conditions concerning the second floor framing and address the serious impact of the conditions; 3) provide a required site plan for the building site approval; and 4) obtain preliminary approvals and provide accurate information to the client concerning the status of project. Belli

paid the civil penalty satisfying the citation. The citation became effective on October 15, 2004.

**JERROD LANGSTON EWELL** (Pacifica) The Board issued an administrative citation that included a \$500 civil penalty to Jerrod Langston Ewell, an unlicensed individual, for a violation of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). This action was taken for misrepresentation based on evidence that Ewell put out a billing invoice with his name and the term "Architecture" on it. Ewell paid the civil penalty satisfying the citation. The citation became effective on June 16, 2004.

**TIMOTHY EDMOND GOOD** (Diamond Bar) The Board issued an administrative citation that included a \$500 civil penalty to Timothy Edmond Good, architect license number C-7956, for a violation of BPC section 5584 (Willful Misconduct) and California Code of Regulations (CCR) section 150 (Willful Misconduct). The action was taken based on evidence that Good failed to meet two schedules issued to the client with milestones to achieve completion of the project. He provided no updates or justification for schedule changes and/or delays to the client during the process. Good paid the civil penalty satisfying the citation. The citation became effective on September 30, 2004.

**CONNIE MAXWELL** (San Francisco) The Board issued an administrative citation that included a \$1,000 civil penalty to Connie Maxwell, an unlicensed individual for violations of BPC sections 5536(a) (Practice Without License or Holding Self Out as Architect) and 5536.1(c) (Unauthorized Practice). This action was taken based on evidence that Maxwell executed a written agreement to provide architectural services and prepared plans for a townhouse unit consisting of 19 dwellings. Maxwell paid the civil penalty satisfying the citation. The citation became effective on June 29, 2004.

**STEVEN PATRICK JOHN MCGINTY** (Fresno) The Board issued an administrative citation that included a \$1,500 civil penalty to Steven Patrick John McGinty, architect license number C-23640, for violations of BPC sections 5536(a) and (b) (Practice Without a License or Holding Self Out as Architect) and 5536.1(c) (Stamp Requirement). This action was taken based on evidence that while McGinty's license was expired, he entered into a contract and he prepared plans for a bed and breakfast

inn, which is a commercial, non-exempt project. In addition, he affixed or caused to be affixed to the plans, a stamp which appeared to be his except the license number shown was not his. The plans contained a title block which in part stated "STEVEN McGINTY ARCHITECTS." The citation became effective on May 24, 2004.

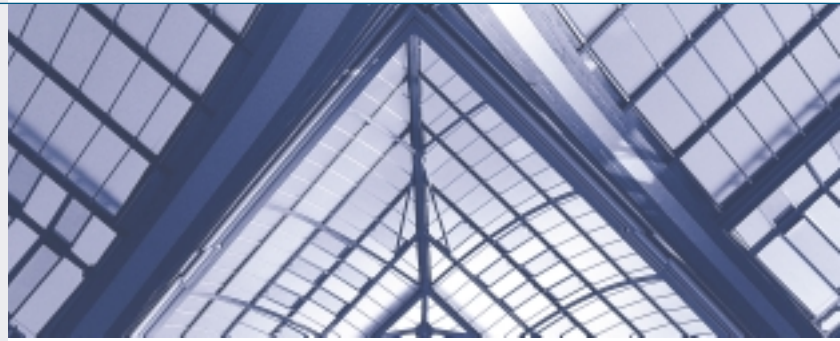
**L. CARLOS SALGADO** (Glendale) The Board issued an administrative citation that included a \$1,000 civil penalty to L. Carlos Salgado, an unlicensed individual for violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). This action was taken based on evidence that Salgado prepared a written proposal to provide design services for an 8-unit apartment building, which is a non-exempt structure. Upon contacting Salgado by telephone, a recording stated, "You have reached Architect Building Design." The telephone recording stating the term "Architect" misrepresented to the public that Salgado is an architect or qualified to engage in the practice of architecture. The citation became effective on October 25, 2004.

**INDIA LAUREL SANDEK** (Big Bear Lake) The Board issued an administrative citation that included a \$300 civil penalty to India Laurel Sandek, architect license number C-18299, for a violation of BPC section 5536.22 (Written Contract). This action was taken based on evidence that Sandek commenced preparing drawings for a remodel/addition to a residence without having an executed written contract for professional services. Sandek paid the civil penalty satisfying the citation. The citation became effective on July 23, 2004.

**STEPHEN G. SHACKELTON** (Encinitas) The Board issued an administrative citation that included a \$1,500 civil penalty to Stephen G. Shackleton, an unlicensed individual for violations of BPC sections 5536(a) (Practice Without License or Holding Self Out as Architect) and 5536.1(c) (Unauthorized Practice). This action was taken based on evidence that Shackleton put out several devices that read "Stephen Shackleton, Architect" and "Shackleton Architecture Company." Shackleton also prepared plans for a professional office building, which is a commercial non-exempt structure. Shackleton paid the civil penalty satisfying the citation. The citation became effective on August 24, 2004.

**KILIFI H. TULIKIFANGA** (Menlo Park) The Board issued an administrative citation that included a \$500 civil penalty to Kilifi H. Tulikifanga, an unlicensed individual for a violation of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). The action was taken based on evidence that Tulikifanga executed a written proposal to provide "architectural" plans to obtain a permit for an extension to an existing porch. The letterhead on the proposal contained Tulikifanga's name and firm entitled "Architectural & Carpentry Works." The citation became effective on October 1, 2004.

**JERRY L. WHITNEY** (Monterey) The Board issued an administrative citation that included a \$500 civil penalty to Jerry L. Whitney, an unlicensed individual for a violation of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). This action was taken based on evidence that Whitney executed a written agreement to provide "architectural services." The agreement contained the term "architecture" throughout. The citation became effective on August 24, 2004.



## Verify Licensing Requirements in Other States Prior to Practicing

**A**s licensed architects, it is your legal and ethical responsibility to review and understand the laws and statutes of each state where you intend to practice. The laws are established to protect the health, safety, and welfare of the public.

Architects should thoroughly research the licensure requirements, process, and statutes of each state in which they wish to practice prior to offering any services or starting any work. For more information on each of the states' licensure requirements, contact each state directly. A directory of state boards is available from the National Council of Architectural Registration Boards (NCARB). Visit their Web site at [www.ncarb.org](http://www.ncarb.org). NCARB's Web site contains links to each individual state board, so they can be contacted directly to obtain the most accurate, up-to-date information.

# architects

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## CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## Renewal Reminders

Please be aware that it typically takes approximately six to eight weeks for a completed renewal application to be processed. To help us process your license renewal in a timely manner, please follow these instructions:

- 1. Keep the Board informed of your current address** so that we mail your renewal notice to the correct location. We send out renewal notices about 45 days before your license expiration date.
- 2. Once you receive the renewal notice and application**, promptly fill out and return the bottom portion of the renewal application. Be sure to do the following:
  - Include the correct payment amount;
  - Mark the appropriate box in response to the question about convictions and disciplinary actions;
  - Sign and date the form; and,
  - Include the delinquent fee and any accrued and unpaid renewal fees if you are renewing more than 30 days after your license expiration date.

Make sure the correct address shows through the envelope window and allow at least six weeks for processing. Be aware that your renewal could be delayed significantly if you fail to submit the correct payment amount, sign the form, or check the box indicating whether you have been convicted of a crime or disciplined by another public agency. If you do not renew your license within five years after its expiration date, it cannot be renewed or reissued. If it has been more than five years since your license expired, and you wish to get a new license, you must apply to the Board for relicensure and, at a minimum, successfully complete the California Supplemental Examination prior to being issued a new license. Completing your renewal notice when you receive it can save time, money, and effort. So take a minute now to ensure you have an active license.

## To Get In Touch With Us

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